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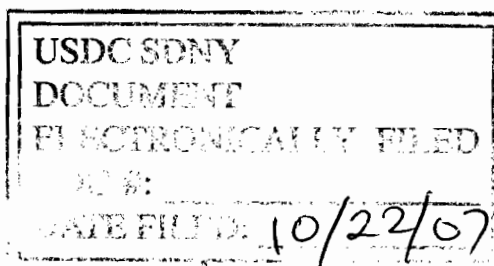
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October 22, 2007

**VIA FACSIMILE - (212) 805-7942**

Hon. Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
Room 1050  
New York, New York 10007



OUR FILE NUMBER  
344,228-018

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**Re: NYP Holdings, Inc. v. Boll et al., No. 07 Civ. 6783 (AKH)**

Dear Judge Hellerstein:

We represent plaintiff NYP Holdings, Inc. in connection with the above-referenced matter. We are writing to request a postponement of the initial conference in this matter that is currently scheduled for Friday, October 26th, 2007.

To date, none of the defendants have yet been served or appeared. Our client is currently engaged in settlement discussions with the defendants and we believe that we are close to a resolution of this matter. Accordingly, we believe that the interests of judicial efficiency would best be served by adjourning the initial conference at this time. No prior adjournment has been requested.

Respectfully,

  
Claudia E. Ray  
of O'MELVENY & MYERS LLP

The conf. is adjourned  
to Dec. 1, 2007,  
at 9<sup>30</sup> am  
10-23-07  
